MINUTES OF THE PUBLIC MEETING

FOR THE HOOKER RUCO SUPERFUND SITE,

HICKSVILLE, NEW YORK

Town of Oyster Bay Town Hall

Oyster Bay, New York

on August 7, 1990

APPEARANCES:

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Reported by: Anthony J. Settineri, CSR

MS. RYCHLENSKI: Good evening ladies and gentlemen and thank you for coming out tonight to this meeting, that is hosted by U.S.E.P.A., Region 2, regarding our proposed plan for remediation of PCB contaminated soils at the Hooker Ruco Chemical Site over in Hicksville.

My name is Ann Rychlenski and I am a Community Relations Coordinator Public Affairs Specialist, for U.S.E.P.A. Region 2. I am basically your contact to the agency regarding this site. I will help you get information that you may request, see if I can put you on the right track and get answers that you may want, and put you in contact with people that you may need to speak to and may want to speak to regarding that site.

This evening I have here sitting up with me, two of my compatriots from E.P.A., who are going to give you a presentation and proposed plan. Right here to my immediate left is Doug Tomchuk, the project manager for this site. He is going to be giving you a site history, the results of the study that we've done on this site and also the proposed plan for the remedi-

ation of the PCB contaminated soils. Over to my right is Mr. Hauptman, Chief of our Eastern New York, Caribbean Compliance Section. And Mel is going to do an overview of the Superfund process to explain to you exactly how it is that the Superfund process works, what the legislation is behind it, and basically logistics to give you an idea where this is coming from, and exactly how it is that it works.

Before I go on to tell you a little about community relations, I just want to acknowledge a few people here in the audience this evening. Mr. John Budnick, Nassau County Board of Supervisors. Thank you. Kamal Gupta, New York State Department of Environmental Conservation. Laure Lutzger, Nassau County Department of Health. Thank you.

Is there anybody else that I've not acknowledged, that is with a local or federal or state agency, or representative, elected official?

MR. FELDMAN: I am with the U.S. Geological Survey, my name is Steve Feldman.

MS. RYCHLENSKI: Thank you. Mr. Feld-

man.

Just for the record, so you all know, that is indeed, a stenographer present here this evening. That stenographer is here to give a concise and accurate record of the proceedings here this evening, and to take down your comments. We do this for a couple of reasons. One of the main ones being for you to go on the record. Since public comments are very important to the Superfund process, we need a number of repositories containing documents that are pertaining to this site. And those repositories are right here in town. One is right here in the Town of Oyster Bay Clerk's Office, and there is another at the Hicksville Public Library. And the third one is at the U.S.E.P.A. Region 2 office at 26 Federal Plaza in Manhattan. Those are repositories contain-ing all the pertinent documents on the Hooker Ruco site, the investigation of the site, et-cetera. The documents are very voluminous, and there are many, there is a whole lot to them. And they are there so that you can go and take a look at

them. go through them. and analyze them. make comments on them. Your comments. the public comments. are very important to the way we make our decisions in the remediation of this site and how we clean it up. And you are invited to comment both this evening through the record that will be kept. and also in writ-ing to Mr. Tomchuk who is the project manager. The public comment period runs through August 30. 1990. So. anyone writing any comments should be postmarked by that date. August 30. And we do invite your comments since it is im-portant to the way we handle the site.

One other thing I want to tell you about before I sign off and hand this over to Mel. And that is about E.P.A. technical assistance grants. or TAG grants. I do have information on TAGs with me. if anyone here is interested.

The TAG grant process is part of Superfund law. What TAGs do is. they will give to. the E.P.A. will give to civic groups or community groups that are affected by Superfund sites. $50.000 for your own technical assistance. That means if you want to hire some-

one to go into those repositories and go through the documents and analyze them before you -- because many of those documents are extremely technical, and sometimes you have to be an engineer to understand an awful lot of what is in there. So we do give technical assistance grants to groups. And I am pleased to say that Region 2 which encompasses New York, New Jersey, Puerto Rico, Virgin Islands, has given more TAG grants than any other region in the United States. I think we have given out nine, and we're easily working on number ten. So it's something that if there are civic groups or community groups present, it's something you should think about. If you are interested, I do have information, and you can come up and speak to me at the end of the evening.

Before I sign off, I just want to remind you, when we do go to questions and answers after the presentations, if you have a question or a comment, would you please stand, speak your name clearly and also your place of residence. We don't need your exact house num-

ber, just the town or village that you come from, so that our Court Stenographer can get an accurate record. And also, would you please sign in if you have not already. There are sign-in sheets in the back, and they are real important to our maintaining an accurate mailing list so we can keep you abreast of what happens at Hooker Ruco.

With no further ado, I'm going to turn this over to Mr. Mel Hauptman for the overview of the Superfund process.

MR. HAUPTMAN: Good evening and thanks for coming tonight.

Let me tell you what Superfund is, because not everyone knows.

In 1980, Congress decided to enact legislation to address chemical dump sites that people were finding. Sites like Love Canal. The very site where certain chemical companies, they decided they didn't want certain materials and they put them in the ground. All perfectly legal at the time it was done. This is before environmental legislation was around.

Anyway, the law established a fund of

money, the minimum of about a billion and a half dollars, and it authorized the E.P.A. to go forward and identify sites, and investigate them and clean them up. That can be a long, drawn out, complicated process, because there are a lot of sites in the country, and each one presents a different kind of danger, so to speak.

But anyway, E.P.A. devised a model to try to score sites, how much chemical was there, what they were, how many people were living there, people drinking the ground water, were they down river drinking surface water, were there threatened species that had to be protected, was there a wetland; things like that. All got a certain scoring number in the model, so E.P.A. could devise a score from zero to 100. They were run from a not too terrible site to a very terrible site, and scores above a certain cut off number of 28, ended up placed on the Superfund Priorities National List. Scores below that 28 and change, E.P.A. and the Feds didn't care about, they weren't that terrible. They told E.P.A. to take care of the

worst sites first.

Anyway, once a site gets on its magic National Priorities List, E.P.A. spends this fund of money, this one and a half billion dollars of money. And the way E.P.A. was supposed to do that, E.P.A. is basically broken into two pieces. First piece is called the study, and that has two elements: the Remedial Investigation and Feasibility Study. The Remedial Investigation is to go out and do a field survey of the site and take a lot of environmental samples for the score, monitoring wells, and take biological samples, and river samples, depending on what kind of site, and analyze the chemicals that could be there. The feasibility team then comes forward and says, well, we know about the chemicals, we know where the chemicals are migrating, we decide what danger that presents, what engineering methods you could devise to clean that particular site up. You've got to realize different sites had different chemicals, different concentrations, different things nearby, so our studies were very custom made to each site. And it cost

about one million dollars to do a Remedial Investigation Study. It takes about two years if the study went smoothly. You've got to realize, you know, we analyze samples down to the very low concentrations with very sophisticated equipment. It took a long time and a lot of money for the study, two years. As a matter of fact, if you brought a study in in two years you were doing a good job, some took more.

So, that is the E.P.A. Remedial Investigation Study. We then went into the next stage called cleanup. Again, that is broken up into two parts of it, called design and construction -- let me back up.

At the end of the Feasibility Study you had a bunch of environmental remedies, you all had different causes associated with them. Some would be done faster than others. E.P.A. would entertain comments, like I am doing tonight from the public, and from interested people, about the different ways of cleaning up the site. E.P.A. would then select the cost-effective remedy which was basically the best remedy for the money. Okay. So, we then im-

plement the remedy, design and construction. Design what the remedy was, go ahead and construct it. Realizing some cleanups are containment of the chemicals, some cleanups are digging up and burning up, various different remedies for all kinds of different sites that have all kinds of chemicals.

There is another part to the program, and it said, when E.P.A. spends money, you are supposed to recover that money from the people responsible for creating the site. Potential responsible parties, PRP we call them. Even though it was perfectly legal to put these chemicals in the ground many, many years ago, there were no environmental laws to control that, the law was kind of retroactive. It said you can still hold these companies responsible. The responsible parties were given site generators, of what caused it, starting with the chemicals, the transporter who took the substance to the site, as well as the owner-operator of the site when the site was operating at the time. These are all potential responsible parties. Anyway, it told E.P.A. if you used

Superfund money to study and/or clean up, or both, you are supposed to cost recover that money and put it back into the fund. What that really meant was, try to get the companies responsible up front to do the work with government oversight. So, instead of spending funds on any site, try to recover it, which would be a long, drawn out process, try to get them voluntarily do it up front and watch them and keep them honest.

Many studies have been conducted that way, most of them quite acceptable, and successful.

That's basically the Superfund process in the nutshell.

Anyway, first phase of it ran five years. It was authorized a year after the five-year date in 1986, got funded at much higher funding, instead of a billion and a half, it went to nine and a half billion dollars. It made E.P.A.'s job more definitive. It told us to do things a little different than the first time. It told us to select permanent remedies, to select permanent remedies that are

treatment type remedies as opposed to just containment-type remedies.

Okay, I will give you to Doug now.

MR. TOMCHUK: Hi, I am Doug Tomchuk, and I am the project manager for the site. I am going to start with a little bit of site background, and go on to our proposed remedial alternative, since we are a couple of miles away from the site.

Now, we apologize, we couldn't find anything closer at this time. I will just be pointing out the site location map here. Located off the New South Road in Hicksville. It's about a 14-acre industrial area over here, adjacent to the Long Island Rail Road, from the facilities nearby.

It's been an industrial site since 1946, when two companies occupied the site.

MR. HAUPTMAN: Could everyone see it, or I will turn the lights off?

MR. TOMCHUK: Okay. Two companies occupied the site, Insular Chemical Company and Rubber Company of America, since 1946.

In 1954, the companies merged and formed

one company, that was later purchased by the Hooker Chemical Company, which is the subsidiary of the Occidental Chemical Company. In 1982, the employees purchased the division of the Hooker Chemical Company, it's currently known of the Ruco Polymer Corporation. The plant produced polymers and plastics, such as PVC and polyethylene.

They had several sumps on the site, or recharge basins. There are six located here. As you can see, it's also on the proposed plan you have received.

And the waste water was discharged into the sumps, so several of these are containing organic -- some of the waste water contained organic chemicals, or some, various other chemicals like that. These are similar to any of the recharge basins that you see along the highways for storm water infiltration, to recharge groundwater.

In 1984, the site was put on the National Priorities List, and became a Superfund site. After a series of unsuccessful negotiations between the potentially responsible par-

ties and the New York State Department of Environmental Conservation, and E.P.A., E.P.A. funded a work plan for remedial investigation and feasibility study. Negotiations were later after the work was completed, and the negotiations had continued a bid to actually implement the work plan; and Occidental signed on to do that work.

After that E.P.A. came out to Hicksville in November of 1988 and March of 1989, to explain what the process of Remedial Investigation and the Feasibility Study was, at two civic group organizations. Some of the people who attended are here tonight, I am sure.

And so the field sample had finally gotten started in September of '89 for the Remedial Investigation, and was completed in February of 1990. That report was submitted to us at E.P.A.. And in April of 1990, is currently under review by the D.E.C. and the E.P.A.

We expect some additional field work to be done as part of that to fill in gaps in the data that were selected. We expect completion of that study, with the Feasibility Study, a

Feasibility Study to follow that in approximately a year.

In December of '89, after several discussions with E.P.A., Occidental submitted a Focus Feasibility Study, to address an area of contamination around the pilot plant from polychlorinated biphenyls or PCBs. This is an area generally on the plant site (indicating.) and there is a bit better idea of some of the area (indicating.)

Okay. The pilot plant used a heat transfer fluid called therminal which contained PCBs, which the pilot plant used for small-scale production to optimize processes for the other plants on the site.

There was a discharge relief valve on the top of the plant, and there are several releases, or one or more releases to the environment in the site right near by, and they occurred in the direct spill area. Some of these samples that were taken in this area contain concentrations of 23,000 parts per million of PCB within the soils. This area is currently paved over so that it couldn't spread. But

previous there had been some spread of contamination by truck traffic or rainwater runoff. Rainwater runoff is reportedly the cause for contaminants to run into the sump off this part here (indicating) by transport with the soils that are caught up in the rainwater as it runs off.

This whole area in here (indicating) is probably due to the truck traffic and others spreading like that. That is where you just referred to the transport related area.

We also discovered -- let me say, PCBs are suspected as human carcinogens. They are very stable in the environment. They don't break down very easily on their own. They have a low solubility. They don't move readily with groundwater, and exposures are normally due to dust emissions, or direct contact, if you dig into the material, okay.

PCBs were also found in the area, in this area, right next to one of the other plants, the plant 1, which I cite right in this location, during a tank excavation that was done for a fuel oil, underground fuel oil tank.

had tested for leaks and had a bad seal on the connection, it wasn't actually found to be leaking, but excavated while they were there, and the soil surrounding it, and the soil samples were found to have concentrations of PCBs of 50 parts per million. So, the soils were stockpiled and placed along in this area over here, and they were covered waiting for a remedy for the rest of the PCB materials.

Well, Occidental had performed several sampling studies since 1984 in this area, realizes this was a potential problem, and they had a fairly good determination of the extent of the contamination. This is prior to the remedial investigation, that was conducted under the Consent Order, that they signed in 1988. So we felt we had enough information to address this portion of the site at this time, but not enough for the entire site. So we decided that rather than wait until we had enough information, we would go ahead with this action. So, it's not an endall for the site, but it's doing something now which hopefully everybody is in agreement with.

We broke the site into two operable units or phases. We will be addressing the other one in the future, as I said, probably in a year's time, before we have remedy selected for that portion.

So, we a have Focus Feasibility Study which was submitted, which gave fourteen alternatives for addressing the PCB contaminated soils.

These are the alternatives as they appeared in the proposed plan in the Feasibility Study. I broke them down a little bit to make it easier for my discussion purposes.

Okay. E.P.A. has to evaluate the no action alternative, has to evaluate it for every site, to assess what the baseline risk would be at the site, if nothing was done at it. So, you know, one alternative that had to be addressed in the Focus Feasibility Study first. We considered in such, a containment which is basically a covering material known to be contaminated with PCBs, with soil and then capping that with asphalt and maintaining that cap. The off-site landfilling requires excavation of

the material at different action levels. 10 parts per million-25 parts per million, that was one of the things that the E.P.A. was, the levels E.P.A. was considering. And then also shipped that off-site to a permanent facility that would accept PCB waste under the -- which are regulated under the Toxic Substance Control Act. So it would be sent off site there.

We also considered treating material over 500 parts per million by incineration. the bulk of the material would consist to about 750 cubic yards at 25 parts per million. and 1100 cubic yards at 10 parts per million. And, you know, that would be sent to a landfill and separate part of it out to about 40 cubic yards to be incinerated. This would be the most concentrated material that warranted treatment.

On-site remediation was considered, which means you take the material after it's excavated, you use detergent extraction to try to remove most of the PCBs, then you get a culture of microorganisms growing and they would feed on this material and break it down biologically.

We examined this, you know, two different concentrations for removing the more highly contaminated material, but we are actually dealing with a very small volume of material at that. Eleven hundred cubic yards of material is, by the time we do a pilot study, which, you know, would take a decent amount of time to do, and then pursue that, to go to the full scale remediation, we would be into several years time and the expense would be more than the other options. It's just too small of a site to do this type of work on generally. It's a very small volume. On-site thermal destruction ran into the same type of problems, besides potential difficulties in getting an incinerator onto the site. We felt that it was too small of a volume of material for that type of treatment. Off-site thermal destruction runs into a little bit of the opposite problem. While it's a rather small volume of material, it's a lot to send to already overburdened off-site incinerators.

Now, when you have fairly low concentrations, the amount of protection we gained

there is not warranted by the increased cost of shipping it off to these facilities.

Okay. And just starting to get into a little bit of our selection criterion. I guess, at the same time I am saying that.

These are the nine criteria that E.P.A. uses to select the remedy. And the first one, the first two are threshold criteria we have to meet that at every site. Overall protection of human health and the environment is, you know, first, and then compliance with the other environmental regulations. And those are the two that we must do at every site.

And the other alternatives are balancing modifying criterion but we had to meet those first two. Through these evaluations, we come up with our selective remedy, which is the alternative 10. And that is to excavate the PCBs, contaminated material, soils in excess of 10 parts per million. 2. Excavate 10 feet of soil from the bottom of the recharge basin. 3. Conduct confirmatory sampling to ensure removal of soil in excess of 10 parts per million. 4. Replace excavated soil with clean soil. 5.

Pave areas with asphalt where appropriate, and except the recharge basin, because that would destroy its usefulness for that purpose, and then the soils had to be excavated, would be shipped off site to permanent landfill, and that's the ones with the concentrations between 10 and 500 parts per million. Then over 500 parts per million would be shipped to an incinerator, which is based on E.P.A. approaches for treatment.

All of that material could be shipped to a landfill, but we are not trying to play musical chairs with this material, we are trying to treat the mostly highly contaminated material, so that way it is destroyed and it won't be any problem in the future.

Final disposing of ash after it's incinerated, would be either sanitary landfill, if it passes requirements for that, or to hazardous waste landfill, if that's more to, if there are other contaminants present, which we don't believe there are at this point.

I'm going to turn it back over to Ann to lead the question and answer period now. Feel

free to ask anything. Thank you.

MS. RYCHLENSKI: We will take questions and answers now, and comments if you have any. And again, I just ask you to please stand, give your name, speak clearly and loudly, so our stenographer can hear you and we will take questions and comments. Yes, ma'am.

MISS TUECHLER: I am Irmgard Tuechler, and I was in the Hicksville Citizen's Alliance from the beginning, in 1981 or 1980. And I still would like to know, did you test wells in 1984? Did you -- the last meeting I went to was the one at Saint Ignatious Church. And at that time you were going to do the, make tests. I would like to know if water, the groundwater was contaminated? You say about the soil Did the pollutants get down into the groundwater? And what effect has it had on the health of the Hicksville residents? Do we know anything about that?

MR. TOMCHUK: Actually we are, you know, we have performed some sampling previously. There were wells installed in 1984 or 1985 -- I don't know. I think the results of that samp-

ling are in, you know, some of the documents that are in the repositories. There were some contamination found within those samples. And that will be -- I mean, that was the purpose of the remedial investigation that is currently under review by the agency, to determine the exact nature of, and extent of that contamination. We are closing in on what we feel we need to know to address that.

Was there a second part to that? Is the water?

The County Health Department, along with the purveyors of the water supplies are required to monitor the water on a quarterly basis, or semi-annual basis, to ensure that the the water is safe to drink, and that's, generally, you know, good quality water out of the wells that are being used. If any wells do show any signs of contamination, it would either go to treatment or be taken out of service.

If you would like to say anything?

MISS LUTZKER: I am Laure Lutzker. Just on the drinking water stds in the area, they

are monitored on a quarterly basis for organics, and they have to meet New York State Department of Health guidelines, because if they don't meet those standards, they are taken off line. And I don't work in the department that actually does monitoring the drinking water wells, but if anybody is interested I can give you the name of somebody in that department to contact directly and get the analysis.

MS. JONES: In reading you report, I see that one of the comments in here is that -- I am from Hicksville by the way -- is that this plant goes 24 hours a day, six days a week. And I assume that emits a dust into the area. A lot of neighbors have complained about the emission of dust and problems with their health.

Now, according to the report also, it says that the workers inside of the plant are the ones that are most going to be affected by health hazards within this plant.

Has there been any action, as far as taken to statistically, to find out if the workers, if there are more unhealthy than other

plants that are similar. And if so, would there be any possibility of reducing the hours that this plant is in effect rather than 24 hours a day, six days a week? It seems to me an unlikely thing that you are talking about health hazards, that it would be operating that long.

And could I just clarify one question? Occidental will pay for the -- like it says, it's going to cost you, 10, it's going to cost like, I think, one million dollars. Occidental will pay for it?

MR. TOMCHUK: I will address the last part first, because it's the easier part.

MS. JONES: Thank you.

MR. TOMCHUK: E.P.A., after issuing a Record of Decision, will negotiate with Occidental to perform the work. And they have submitted this Feasibility Study willingly, have expressed interest in doing the work, you know. But we have to get a Consent Decree in order to do that, which is a court document, of course, issued by the court, so they will be held to do it. That will be negotiated after we sign the

Record of Decision and then after that --

MS. JONES: Is there a time line after they sign it, because we have to do it; because it's been going on for ten years?

MR. TOMCHUK: Yes, there would be.

MS. JONES: Within 60 days or 90 days, within a year? It seems like it's endless?

MR. TOMCHUK: A Consent Decree unfortunately takes a little bit of a lengthy process, since we are dealing with the court system, and have all had experiences, there are some delays.

Anyhow, we have different tools to help move negotiations along like that. One is a Special Notice Letter which is under the law, and that would give, after this is issued to the company, they would be given a 60-day period for them to respond with a good faith offer to perform the work, and then another 60 days to come up with a settlement. After that there is still a process for the consent order to be signed, that goes out to public comment, and it would be six to eight months before the Consent Decree would be signed. It's possible for

them, if they are willing to do the work, to be developing some of the remedial design during that time. If it's just a matter of getting everything through the paperwork, it could move a lot faster, and then the implementation of these remedies is fairly quick in that it would just be mainly trucked off site, after the excavation, to different facilities; but that is fairly quick. I think we have some optimistic but feasible estimates of the time frames for these different alternatives for them to propose the work.

To address the other question about dust. The endangerment assessment, which I forgot to mention before, was prepared by E.P.A. as part of this, for this remedy. It evaluated baseline conditions, with different exposure scenarios. It uses standard assumptions that are used nationwide to determine what the risk would be to different groups. And it found that the risk to site workers would be the highest, which is what you are referring to. Now, this risk to site workers is based not so much on people working in the

building as being exposed to the dust, but actu- actually working out in the dusty areas eight hours a day, digging in the material, things like that. It's a pretty conservative analysis. This is the way we insure that we are aware of possibilities of people being exposed to these contaminants.

So, you know, we found that if we do excavate down to the 10 parts per million, that the exposure scenario would be within our reasonable risk range that we use at all of our sites.

As far as studying the people at the site, that's extremely difficult, and there is a variety of other reasons why that's a bit trickier for epidemiological studies like that. I don't believe it's warranted in this case, but I am, you know, I think the risk numbers are within our reasonable, within reasonable numbers.

As far as the site goes, operating at those hours, it's the people on shifts only that would be exposed. As we studied in our reports, the residential exposure wasn't that high, you know, from our study.

So that there are few people would have it over a long term. The people that we did assess, the people in eight-hour shifts, that is one of the higher risks there. Reducing the hours would cut that back. There is dust generated by the site. There is an incinerator on the site which burns non-hazardous wastes which are stored on site. And the County has been working with Ruco to try to reduce some of their emissions, and from several parts in the facility of organic vapors mainly.

So I think that, you know, the dust problems to workers are within reason. There is asphalt over that material which limits the dust at this point also. And that asphalt would be replaced over afterwards with clean fill. The main thing is to remove the material and clean up that site.

MS. RYCHLENSKI: Yes, ma'am?

MS. TUECHLER: I am Irmgard Tuechler again. You mentioned that the PCBs goes down into the water? No?

MR. TOMCHUK: No. PCBs have very low solubility. We never detected them in the ground-

water at the site. When I said there might be some matter in the water, I was referring to rainwater runoff which carry particulates, and that moves into the sump area, so we have particulates move with the soil, mud, moving with the material with the water in the sump.

MS. TUECHLER: You said something about that being in water? Were you monitoring -- Hicksville monitors the water and all of that, but you said some contaminants get into the water. Is this traveling, is what I want to know?

MR. TOMCHUK: Okay.

MS. TUECHLER: Even though you are not using the wells it might be contaminating. Is the plume traveling?

MR. TOMCHUK: First of all, to answer the first part, the PCBs are very low solubility. We never detected them in the groundwater at the site.

MISS TUECHLER: But in the test wells?

MR. TOMCHUK: In the test waters, did the wells -- we have not picked PCBs. Now, there are other contaminants which move differ-

ently from PCBs. PCBs cling to soil. They are also -- organics don't necessarily do that. They dissolve partially in the water portion as it infiltrates down and moves into the groundwater. Some of that water has moved into the groundwater below the site, and is moving down gradient. At this point we haven't defined the extent of the contamination moving down off the site, but that is the purpose of the remedial investigation that we are currently reviewing, that reviews that data.

MS. JONES: It says, "The migration was highly likely." Maybe it was just a -- I have a report from the E.P.A., and it said there was contamination in the groundwater, and, "The migration potential was highly likely." So, that was in 1985 -- I don't know whether you --

MR. TOMCHUK: Contaminants, like I said, have moved down into the groundwater below the site and are moving down from the site. I don't know the extent of how far they are moving at this point.

MS. RYCHLENSKI: Yes, ma'am?

MRS. FERRADO: My name is Mrs. Ferrado,

I am from Hicksville. I have a two-fold question. You said a possibility that PCBs are carcinogens. Is it not a proven fact that there are carcinogens at this point?

Two, what is the life expectancy of the soil or the soil itself, I mean? Once you cover that, that is not going to be the end of it. How long do you have to keep this soil capped? If you move the soil to take it to a thermal plant to be processed, how much of that soil would be transported back? By doing that, don't you put all of those PCBs back into the area again? Aren't there ambient factors involved in that? If you do it on site, wouldn't that be a hazard to the area? I want to know, number one, is, I guess, it was kind of confusing: How long will that area have to be capped before it's considered unhazardous? If you are going to thermally treat the soil and the ground itself, isn't it a possibility that makes it more of a hazard? And what guidelines are you using if you are saying that it doesn't get into soil and it doesn't get into the drinking water, and it isn't ambient factors

involved, and is that a greater hazard by treating it on the site?

MR. TOMCHUK: Okay. I will try to address it -- I'm a little confused, I am a little bit. So if I steer the wrong way, let me know if I don't address your question entirely.

First of all, like how long is the material going to be capped, and how long that will take? The remedy that we have selected removes all of the PCB contamination down to 10 parts per million, okay. Ten parts per million is pretty low level of PCBs. We can only, only detect down to what? One? Toxic Substances Control Act, one is considered clean. We are going down to ten. I mean, that is considered entirely clean. We are going down to ten, for an industrial area, which is well within the range of that law. So, the capping that we are going to be doing is, you dig down, you reach ten parts per million, and then you fill that with clean material, so it's under a foot of material, maybe five feet in some areas, and then paved with asphalt so we can use the facility still. So, that is what is going to be

capped. So, it's another -- actually, they are not being capped, it's replacement of asphalt that is going to be dug up.

MRS. FERRADO: How long does that have to be remained capped before it's not considered hazardous?

MR. TOMCHUK: Well, the hazardous material will have been removed.

MRS. FERRADO: If the hazardous material is being removed, what is the purpose of capping the ground?

MR. TOMCHUK: Just to be able to reuse the facility, because we are running big trucks on this, we are repaving the asphalt areas that exist there, so the facility can stay in operation. It's not a capping alternative, although that adds another layer of protectiveness also, that's not what we are getting -- our protectiveness in this remedy, we are removing the source of the contamination down to a safe level, okay.

Referring to the thermal treatment. The facility, I believe you said something about PCBs entering the air column from that? To be

approved to be destroyed by a thermal incineration facility for PCBs, under the Toxic Control Substances Act, you have to reach a destruction and removal efficiency, which it means, from what gets fed into the system to what comes out, not only in the site but out of the stack, you have to achieve what they call six nines, 999.999 percent destruction of removal efficiency. You have one part per million left. So, you are achieving very good destruction of that material, you are not sending it off into the air column.

When you are removing this material from the site, PCBs aren't highly volatile. There is some volatilization that is fairly low levels. The soils themselves are at low levels, and the residuals, which threatens to move into the ambient air, would be from dust which could be suppressed by normal construction procedures. For dust suppression, we have wetting material, so that doesn't blow around as you are removing the soil for example. That would be worked out in the remedial design exactly how that would be achieved.

Is this something else that I didn't address?

MRS. FERRADO: No, no, that is fine.

MS. RYCHLENSKI: Yes?

MISS GRAYCOTT: I am Eleanor Graycott from Hicksville. At the risk of sounding stupid, exactly how do you remove this? What is your methodology for removing the contaminated materials? You are disturbing all the soil, and as a result a good wind comes along and the contaminants are scattered -- that is what you were aiming at, Maryann?

MRS. FERRADO: Yes.

MISS GRAYCOTT: How physically are you going to remove it. I am not an engineer. I don't know -- I'm a citizen. Who wants to answer?

MR. TOMCHUK: It's basic construction.

MISS GRAYCOTT: Do you do it in trucks or how do you physically remove contaminated soil, that is my question?

MR. TOMCHUK: Backhoes and shovels, and you dig that material up, excavate it, load it into trucks, basically dump trucks, and, you

know, there is a plastic seal to go on the highways and now ship it off site.

During the construction process, when you are are scraping the material off, and you are talking about the wind, normal wetting can solve that so that it's not just blowing around. I'm not exactly sure of where we would go with that. That would be worked out in the remedial design how they suppress that, but that is the normal construction process also.

MISS GRAYCOTT: Have you determined exactly how much you have to dig up, how much is contaminated?

MR. TOMCHUK: It's approximately 1100 cubic yards, which is about fifty to sixty truck fulls.

MISS GRAYCOTT: Thank you. You put it in layman's terms. Thank you.

MS. RYCHLENSKI: Yes, sir?

MR. MARJER: I am John Marjer from Hicksville, a resident. You mentioned vapors released, vapors coming out of the plant and also what would those vapors be? Are they dangerous? And is that the smell that we are

smelling around town on various occasions?

MR. TOMCHUK: Okay. I'm not familiar with all the current plant operations, but we are dealing with clean up of this part of the site. I have become familiar with some of this, the vapors that you generally smell at the plant. They use glycol in their production process, and they have waste water with glycols in it, and they are fairly safe material.

They have a very high, you know, very low tolerance to the smell, so extremely low concentrations you can smell this.

MR. MARJER: Smells like nail polish?

MR. TOMCHUK: A little sweeter.

MR. MARJER: Grape, grapey, maybe.

MR. TOMCHUK: So, that is what, generally, all of the smell from there is. I believe some of the air studies have not even been able to detect the concentrations in the air, if they are that low, but your nose is sensitive enough to pick it up. So, it's a fairly hard thing to deal with.

The County has been working with Ruco, as I said, to try to eliminate that from some

of the production buildings, and from their current disposal facility, waste storage pit until they incinerate.

MR. MARJER: It's almost any day that is a heavy overcast day, you can smell it very strongly. It's almost definitely being released.

MR. TOMCHUK: Right, it's within safe levels, you know, for that, for those contaminants. And they are working to try to eliminate that.

There are some people who I can put you in touch with, if you leave your name and number, I will have you contact a representative.

MR. MARJER: These are glycols, you called them?

MR. TOMCHUK: Yes.

MR. MARJER: Are they in any level, are they considered carcinogens?

MR. TOMCHUK: No, I don't believe they are considered carcinogens. We don't consider any carcinogens to have a really safe level.

MR. HAUPTMAN: Glycol is the main ingredient in makeup. Glycol is the main ingredient

in women's makeup.

MR. MARJER: Thank you.

MS. RYCHLENSKI: Yes?

MS. MAGGIO: I am Priscilla Maggio, from Hicksville. I noticed in one of the remarks here that they are now storing toxic waste in drums. I would like to know how expensive a study you have done on all of the property in that area, or have you relied upon them only telling you where they dumped? Is there any possibility that they might have been dumping drums of toxic waste into the ground that you have not uncovered? Or are you going just on what they tell you they did when they did it?

MR. TOMCHUK: There is two things. First of all, disposal practices prior to the environmental laws was to discharge the material directly into the groundwater, wastewater sumps.

MS. MAGGIO: That was the only way?

MR. TOMCHUK: That was it. It didn't make sense to drum the material, which was more expensive, when they could discharge it out of the pipe that was the legal disposal method at

that point.

MR. HAUPTMAN: Legal?

MR. TOMCHUK: Yes, that is what I said. So, after the environmental regulations came in they started sending it to an approved facility and drumming it, and sending it off site.

We performed, E.P.A. prepared the work plan for, you know, for the investigation of this site. That was not prepared, you know, that is prepared based on reports from what the companies said they have done at the site. But, you know, it also encompasses other portions of the site.

We did do magnatometer surveys, which are like metal detectors going over the site. Two tank cars are reportedly buried there. These are latex filled tankers, which is a fairly safe material. Latex is, you know, used to -- it's a plastic. It's not going to leach. But they were reportedly buried at the site, and we were trying to figure out, we were looking at the results of that. That is not like drums of hazardous waste now. There is a big difference between that and dealing with what

you are saying now. So we looked at many different options. We looked at well beyond what we expect migration patterns would be from this previous disposal options, and it covered other areas. Drum storage pads, and just borings and locations in the process, tanks, anything that we feel could be a source. So, we have not only relied on potentially responsible parties we have done our own investigation.

MS. MAGGIO: Thank you.

MS. RYCHLENSKI: Yes, sir?

MR. MARJER: You said they were dumping waste up until what year?

MR. TOMCHUK: I believe it was 1975. I'm not exactly sure of the date.

MS. JONES: They were dumping it right in the pipes in the ground?

MR. TOMCHUK: Waste water during the process would include some hazardous waste, and that could have been discharged into the groundwater recharge basins until 1975, approximately.

MS. JONES: You mean Hooker Chemical was a well-known situation way before 1975?

So, given that action, what guarantees does the community have that group like that, that wouldn't continue dumping stuff into the ground like that? What guarantees have we got that they are going to act any more responsibly in the future then they have in the past? They knew the danger of that in 1975 as much as anyone else. 1975 isn't back in the 1800s when they didn't understand these things? I mean--

MR. TOMCHUK: Unfortunately, these are some of the early days of environmental regulations.

MS. JONES: Regulations? I knew in 1975 you shouldn't dump gasoline into the street, or you shouldn't put oil in the toilet bowl any more, and whatever else people were doing. These people are crazy.

Now, what guarantees, as far as Hicksville is concerned, do we have they are not going to continue doing something like that every time nobody is looking? I think the place should be shut down myself. Right in the middle of a residential community, the people are acting like a bunch of lunatics, irresponsible.

MS. JONES: Do they have a representative here? Is there a representative from the company here tonight, Ruco, maybe they could answer the question? I would assume that a representative would be present in the room. I guess not, right?

MR. TOMCHUK: They are represented, but I don't think that --

MS. JONES: I don't think they want to answer that.

MR. TOMCHUK: I don't think they should have to answer that directly, I think that they are acting quite responsibly in performing this study and cleanup, hopefully, within the near future. I think, you know, I just want to clarify that Hooker indemnified Ruco when they took over the property. So they are, you know, currently responsible, but at the same time are not, no longer operating that facility.

You know, I am not going to defend actions in the past for the company. I don't work for them, I work for the E.P.A., and we are trying to -- we regulate them today.

MS. JONES: When Hooker went out, I

guess we assumed that they left with the bad practices, and whatever companies took over that facility were going to be acting more responsibly, then we found out as late as 1975 they are still acting in the way they do. I mean, that wasn't that far long ago? And it was already a well-known mess to begin with?

MR. TOMCHUK: I don't know the history of the site, but the regulation, groundwork regulation framework for them to eliminate that was just coming into effect at that time.

MR. MARJER: Thank you.

MS. FERRARDO: This figure that you estimate for the cleanup, is that a completed? That is within a completed figure, or is that just an estimate to start the project for the cleaning up period and then additional figure would be added on to that?

MR. TOMCHUK: Well, I think I tried to clarify a little bit that the time frames are optimistic but at the same time feasible estimates of what we think could be cleaned up in.

MS. FERRADO: That is a million and a half dollars in the 13-month period that you

plan, but what I'm asking, is that the figure you are going to, is that comparative figure for the whole job in the 13-month period? Do you have to go more than that period, or if the cleanup takes longer than that time, would there be an additional figure added to that?

MR. TOMCHUK: It's a present worth cost. It would be increased if there were delays where an additional material was discovered during our confirmatory sampling period. It's not like any agreement that we signed would be for a million dollar cleanup, no, it would be for the cleanup as laid out in the plan there.

MS. FERRADO Thank you. So, for the completed project?

MR. TOMCHUK: Yes.

MS. JONES: You said that is one part of the property. That is sort of a beginning, isn't it? It's not going to finish whatever is going to happen on the property, isn't it?

MR. TOMCHUK: Yes, it's the beginning. We will be back in the year or two.

MS. JONES: It sounds like a century-long project.

Within the Leggette, Brashears & Graham Report, they said, "Any situation or unplanned occurrence, the appropriate contacts from the following agencies should be made." I didn't understand that fifty or sixty trucks would be carrying these PCBs away from the site.

Then they list Ruco and they give a 914 number. Then they list Grumman, they give a 516; because Grumman is going to be sort of a backup. This is within this Leggette, Brashears & Graham Report that is dated 1989, it is a big, thick booklet. It says, "Occidental Chemical Corp., Hooker Field Operations Plan." It's dated August, 1989, I guess. Then it says, "Occidental Chemical Corp., and another 716, and then it gives the E.P.A., and then it gives the Hicksville Fire Department, Nassau County Police, Central General Hospital, the ambulance and the police.

I guess this is in case there is any unusual incident that happened?

The only thing that concerns me is that the first number is a 914 number. I mean, I know this is Westchester, then there is evi-

dently Leggette are the people that prepared the report therein Connecticut, this is 203, and Occidental is 716. Where is this?

MR. HAUPTMAN: Niagara Falls. They would at least be notified.

MS. JONES: Then the police department. I mean evidently you are warning there could be --

MR. HAUPTMAN: There could be an accident, yes.

MS. JONES: If you have 50 or 60 trucks, are the people aware?

MR. TOMCHUK: The Field Operations Plan is for the Remedial Investigation. This is not for the removal of material. Those plans haven't been drawn up yet. That was for the investigation that took place there from September to February.

MS. JONES: But the trucks would be going along the streets, that will be a major -- well, they haven't decided where the trucks are going to end up, have you? You haven't started that, have you?

MR. TOMCHUK: No. It has to be a per-

manent hazardous waste fill.

MS. JONES: I don't think there is going to be any landfill in New York State that is going to be allowing that.

MR. HAUPTMAN: There is some in western New York.

MS. JONES: I didn't think anybody wanted it.

MR. MARJER: There are no people over there. This all sounds like pie in the sky type of thing.

MR. HAUPTMAN: This is not pie in the sky. We have had success, even today industry is busy trucking dangerous things around all the time, gasoline trucks, all types of things.

MS. JONES: I see accidents every day.

MR. HAUPTMAN: So, it's not unusual. This is relatively innocuous compared to other chemicals that are going on the highway.

MR. MARJER: Is the E.P.A. doing anything to get ahead of this situation in terms of chemical plants and production of toxic materials in terms of preventing it from being dumped into the environment in the first place.

so we don't have to be dealing with these situations like this?

MR. HAUPTMAN: There are laws on the books. Some of them are not new. Some of them primarily do control what the chemicals industry is producing, that they don't want. Every chemical process has some spec off -- spec product that nobody wants. It's a waste. It's not good product. It's a waste. It's a cradle-to-grave management of that system in place since 1979 on the record. Anyone who is generating that off-spec material, they have to ultimately get rid of in an approved manner, so theoretically this kind of dumping isn't happening anymore. But like most environmental laws, it's a law of self reporting. But the Feds and the states don't have policemen to go around and watch everybody.

MR. MARJER: Thank you.

MR. BUDNICK: My name is John Budnick, with the County Board of Supervisors. Were the soil borings done in this shaded area here around the pilot building with regard to this PCB contamination, if so, who were they done

by?

MR. TOMCHUK: The samples were taken by Occidental on a previous study. It was done with State oversight in the first time period.

MR. BUDNICK: That is State E.P.A.?

MR. TOMCHUK: Yes.

MR. BUDNICK: Approximately how many soil borings were involved? I am not holding you to the exact number.

MR. TOMCHUK: I'm not really positive. I know --

MR. BUDNICK: More than 25?

MR. TOMCHUK: Fifty or sixty. We took five more during our more recent investigation to confirm some of these previous ones that had the E.P.A. oversight. And it's a known area of contamination which, you know, the boundaries will not be set out entirely just by the, you know, by what we have here by a confirmatory sampling in the field.

MR. BUDNICK: And from those soil borings that are about 50 or so in number in the area of the sump 3 and pilot plant, other than PCBs, is there any indication of any contami-

nants in that particular area that you are talking about tonight?

MR. TOMCHUK: I believe most of the materials are very low levels. If we did find anything, we scanned for things, and sometimes we found low levels of just about anything in the sample. But, you know, there is no significant contamination from any one in the material.

MR. BUDNICK: The main thing is PCBs; is that correct?

MR. TOMCHUK: Yes.

MS. GRAYCOTT: What contaminants could you find in the water?

MR. TOMCHUK: Historically and through our preliminary results from the Remedial Investigation, we had trichloroethylene, vinyl chloride, basic solvents that are used as degreasers and are found in many of the industries in the area. But then, we found them on site.

MS. GRAYCOTT: People from Bethpage should be here, because the water flows in that direction.

MR. TOMCHUK: We sent out invitations to many people, hopefully the received them.

MS. JONES: You know, I am concerned, because we only got this notice on Saturday. Is there any way of sending it a little bit sooner? It was a miracle -- I'm amazed that so many people came. That was only a day's notice. You said you posted it in the newspapers, but it was in the legal.

MR. HAUPTMAN: That is because Newsday wanted fifty grand for a regular posting.

MS. JONES: It would have been nice to have a little more time.

MS. RYCHLENSKI: The press release was sent out, you got it on Saturday, we sent it out a good three or four days prior to that. Unfortunately, we are not responsible for the mail system.

MS. JONES: Yes, but it would be great.

MS. RYCHLENSKI: You should have gotten it sooner. We usually try to get them out ten days prior to. There is a problem with the press too, and this is something that I've run into a lot. If you send it out too early, and

the press puts it in, then they don't put it in close enough to the meeting and a lot of people will look at it and forget it. Some of the people, if you give too much of an advance notice, if they run it too early, they don't run it before the meeting. If it's a busy news week, well, you get assigned to the back page or they don't run it at all. When you pay for the space they have to run it, and we have a legal requirement that states this public notice must go into the papers and let everyone know the meeting is being held, by a press release. They don't have to print. It's up to the editorial discretion. They don't have to print it.

MS. JONES: But it was a little untimely. We got it on Sunday, and there was a meeting today.

MS. RYCHLENSKI: We did send it a good deal earlier then that.

MS. JONES: It was only postmarked the day before, so that is from New York, that is from New Jersey to Hicksville, but it didn't -- it did sort of -- it's great if you give it a

little more time, not too far.

MR. TOMCHUK: But any comments that you do have on it, we have until August 30 to accept your comments.

MR. HAUPTMAN: If you have questions you can call us up. You don't have to write if you don't want to.

MR. TOMCHUK: If anybody else has questions, please tell them to ask you.

MS. JONES: I should express my enthusiasm. I am glad this is finally moving forward. It seems to be moving forward at a very slow speed. I am grateful it's finally coming to some kind of culmination. This is just the beginning, and I feel sorry for the people in the area. They have to have 24-hour a day dust, or whatever which you say is not contaminated, but it's rather a problem.

MR. TOMCHUK: I think that is a different problem.

MS. JONES: Yes.

MS. LUTZKER: At the meeting we had, it was about a year ago, with the civic organizations, when your plans came up and your time-

table, and you pretty much stuck to it and I thank you for that. You were at the Town Counsel Meeting also. We were led to believe that we will be in contact with you, and you would have used the civic organizations to convey all of these messages to the community; and the community would have gotten a heck of a lot sooner than Saturday and the Newsday legal, because very few people read the Newsday legal. Perhaps we would read the local papers, the weekly tabloid legals much quicker than we do Newsday.

MS. RYCHLENSKI: What we can do in that case, I have a list of the civic organizations, and from that day forward, send a slew of press releases to whoever it is that is designated. If you're willing to undertake that, and we will send you a copy of that, and if you want to assume the responsibility to get them to your neighbors and members, we will be more than happy to do that.

MS. LUTZGER: That was the impression we did have. So from that point forward we will assume the responsibility.

MS. RYCHLENSKI: We will do that. So we will make sure we have the proper person to contact.

MS. MAGGIO: Priscilla Maggio, once again. The E.P.A. has opted for alternative 10. On this it seems time to implement 13 months. Does that mean it will take 13 months? Does that mean it will take 13 months to clear the site, or does that mean that 13 months from now, or if that alternative is approved, that something will be done? What do they mean by the 13 months?

MR. TOMCHUK: Okay. As I was trying to describe, that is an optimistic yet feasible time frame for this to happen. I mean it's a guess. We have to go through, we have to get from the signing of the Record of Decision, we have to do that. And get through the Consent Decree process, hopefully we will be doing remedial design and then going on to implement this, that is referring to the removal of the soil.

Now, we are not guaranteeing 13 months, but it's an optimistic time frame that we could

do this process.

MS. MAGGIO: As laypersons, we would have to say that the E.P.A. would be the ones to determine which would be the best alternative to use here.

Is there anything that you can tell us that convinced, that you were more or less went for alternative 10? What convinced you this would be the proper way, the proper alternative?

MR. HAUPTMAN: Well, there is limited number of things that you can do with this kind of material, assuming you don't want to contain it, you don't want to build an incinerator because of community opposition, because of such a small volume, the fastest and cheapest thing would be is to take it away.

MS. MAGGIO: Why can't it be done yesterday?

MR. HAUPTMAN: Because we have to get this Record of Decision, we have to entertain comments, we have to go through the Consent Decree with the United States Department of Justice. Hopefully, by next summer work should

begin.

MS. MAGGIO: And I hate to sound morbid, but what can we tell from the statistics that you have here that one or two people that might die between now and next summer?

MR. TOMCHUK: Well, that is not what those statistics do say. There is a risk assuming based on lifetime exposures. Yes, I think it's pretty much laid out in this endangerment assessment what all of these assumptions are, but it's not saying it's one or two people, and that is a probability of contracting cancer. It's not a death toll.

MS. LUTZKER: This eleven hundred, what are doing with it now? Is it fenced off, is it being arranged so that nobody can go into this area? What is the status of it right now? Just laying there?

MR. TOMCHUK: Most of the material is just laying in the site. Most of it is covered with asphalt at this time.

MS. LUTZKER: It is?

MR. TOMCHUK: Yes. So, some of it is exposed at the ground surface, but, you know,

the smaller volume of it is exposed, most of it that is at low levels where it would be exposed, most of the higher contaminated material is covered with asphalt.

MS. LUTZKER: You feel it presents no danger the way it is right now?

MR. TOMCHUK: I feel there is, there is I feel a chronic risk, and that is why we are cleaning it up; but at the same time I don't feel there is an acute risk, a short-term risk.

MR. BUDNICK: John Budnick from the Board of Supervisors.

Correct me if I am wrong. I seem to recall there was a portion of contaminated soil which is currently covered by plastic on site, also from the excavation of the tank nearby, that area is all covered by plastic. Is that going to be covered in the 1100 cubic yards that are contemplated to be removed?

MR. TOMCHUK: That will be removed within that material, yes.

MR. BUDNICK: Thank you.

MR. MARJER: John Marjer. How did the PCBs, what process do they do that drops these

things, or how do they come to be on the ground?

MR. TOMCHUK: Okay. Well, they are used in the pilot plant between the two production plants on the facility. And it was used as a heat transfer fluid, it was a mineral oil called therminol, which contained the PCBs, which has very good properties of fire suppressant and things like that. It was used until 1975, I believe, throughout industry in many differ-ent products. And there was a relief valve at the top of the plant, and apparently the pressure built up and some type of discharge came out.

MR. MARJER: In the form of -- was it in the form of particles or was it an actual spill?

MR. TOMCHUK: It would be more of a spill. It wouldn't be a vaporizing. I'm not exactly sure of that.

MR. HAUPTMAN: Probably an oil-type spill landed on the roof, and when the rains came it came off of the roof into the ground.

MR. MARJER: I see.

MR. BUDNICK: John Budnick again. PCBs,

if I recall correctly, please correct me if I am wrong, were mainly used among other things in electric transformers until the late '70s, early '80s, in fact in a large number of programs in the latter part of the '80s to remove all of the PCBs from things like transformers and things like that. And it's apparently only since, I guess, the late '70s or early '80s, that the potentially dangerous nature of this chemical compound came to be known, is that correct?

MR. TOMCHUK: Basically it was in the mid '70s when they started to realize that the toxicity of these. That is one of the basics for the Toxic Substance Control Act which was signed into effect in 1978, to basically eliminate the production of PCBs, which has been, really, had been declining since '72 when it reached a peak year, and production basically eliminated in 1978.

MR. BUDNICK: Thank you.

MR. HAUPTMAN: They were using it primarily for two functions, one was in transformers, and capacitors, and the other was heat

transfer oils.

MS. RYCHLENSKI: I guess that that is about it. Okay.

Any other written comments, I said you can send them to Doug. Make sure they are postmarked by August 30th. And thanks for coming on out. Okay.

(Time noted: 9:00 p.m.)

* * *

CERTIFICATION:

I hereby certify that the minutes are true and accurate.

Anthony Settineri

ANTHONY SETTINERI